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Docket No.: 016762.0227-US00
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Calvin H. Fei et al.

Application No.: 09/925,972

Group Art Unit: 3625

Filed: August 10, 2001

Examiner: N. D. Rosen

For: METHOD AND APPARATUS FOR
CONDUCTING TRANSACTIONS ON AN
AUTOMATED TELLER MACHINE

TRANSMITTAL LETTER

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Communication to the Examiner Regarding Amendment in Response to Non-Final Office Action filed September 20, 2006; and
2. Substitute Page 11 for Amendment in Response to Non-Final Office Action filed September 20, 2006.
3. Return receipt copy of this Transmittal Letter.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0740, under Docket No. 016762.0227-

US00. A duplicate copy of this paper is enclosed.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 50-0740.

Dated: September 20, 2006

Respectfully submitted,

By 
Thomas D. Bradshaw

Registration No.: 51,492
COVINGTON & BURLING LLP
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004-2401
(202) 662-6000
Attorney for Applicant



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For: METHOD AND APPARATUS FOR
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COMMUNICATION TO EXAMINER REGARDING
AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION FILED
SEPTEMBER 20, 2006

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

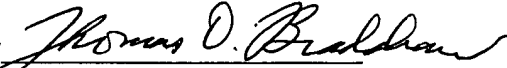
Dear Sir:

Earlier today, on September 20, 2006, Applicants filed an Amendment in Response to Non-Final Office Action. After filing the Amendment, Applicants' attorneys noticed that they had inadvertently included the words "Footer shows" on page 11 of the Amendment, after the first full paragraph of page 11. Applicants submit herewith a Substitute Page 11 that does not include the words "Footer shows" on page 11. Applicants respectfully request that this Substitute Page 11 replace the original page 11 included in the Amendment.

It is not believed that any fees are required for entry of this Communication. However, if additional fees are required for entry of this Communication, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 50-0740.

Dated: September 20, 2006

Respectfully submitted,

By 
Thomas D. Bradshaw

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1201 Pennsylvania Avenue, N.W.
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(202) 662-6000
Attorneys for Applicant

Application No.: 09/925,972



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SUBSTITUTE PAGE 11
FOR AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION
FILED SEPTEMBER 20, 2006



invention was reduced to practice. As provided by MPEP § 715.02, for any claims for which there are differences between the claimed invention and what was shown in the attached declarations and accompanying exhibits, either (1) the attached declarations and exhibits establish the basic inventive concept of the claim, or (2) those differences would have been obvious to one of ordinary skill in the art, in view of the attached declarations and exhibits, prior to April 17, 2000. M.P.E.P. § 715.02. In addition, as explained in paragraphs 7-9 of the Fei Declaration, and as confirmed by the Jacobs and Stockton Declarations, Applicants and their representatives exercised due diligence to reduce to practice an embodiment of the invention of independent claims 1, 30, 34, and 39 and dependent claims 2-27 and 35-38 from before April 17, 2000 through August 11, 2000, when the embodiment was reduced to practice.

Therefore, under 37 C.F.R. § 1.131, the Ferber publication and the corresponding Ferber Provisional Application have been removed as references with respect to the present application. Because all rejections of claims 1-27 and 30-39 are based in whole or in significant part on the Ferber publication, all rejections of these claims have been rendered moot.

Rejection of claims 28 and 29 in view of "Year" article

Independent claim 28 and dependent claim 29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over an article entitled "The Year of the Thin Client" ("the Year article") in view of official notice taken by the Examiner. The Examiner asserts that the Year article discloses various recitations of claims 28 and 29. However, as the Examiner notes, the Year article "does not expressly disclose receiving input from a user, wherein said input consists of a PIN and a transaction mode entered by a user in response to instructions displayed on a single display screen." Office Action, page 12. The Examiner takes official notice that "it is well known for ATMs to receive a PIN and transaction mode as input from a user in response to displayed instructions." *Id.* The Examiner concludes that "it would have been obvious to one of ordinary skill in the art . . . to receive such input and dispense the case, for the obvious advantage of enabling the ATM to carry out its basic functions as an ATM."

However, the Year article does not disclose or suggest the claim element "wherein said input consists of a personal identification number and a transaction mode entered by said